

15.05.2025

akb

Sl. 17

Ct.29

Allowed

CRM (NDPS) No. 536 of 2025

In re: An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Barrackpore
Police Station Case No. 38 of 2025 dated 15.02.2025 under Sections
20/29 of the NDPS Act, 1985 now numbered as N-2/2025.

And

In re: Pintu Adhikari @ Madahai

... petitioner.

Mr. Debasis Kar

Mr. Arka Tilak Bhadra

...for the petitioner

Ms. Anasuya Sinha

Mr. Soumya Basu Roy Chowdhury

...for the State.

It is submitted on behalf of the petitioner that 9 kgs of Ganja was recovered in connection with the present case but nothing was recovered from the possession of the petitioner. His name transpires from the co-accused statement and as such he may be released on bail on any terms and conditions. He further submits that investigation has already been advanced to a considerable extent and he is in custody for about 70 days.

Learned counsel for the State opposed the prayer for bail and contended that the present petitioner has criminal antecedent and therefore, he is not entitled to be enlarged on bail. However in her usual fairness, she submits that the contraband substance involved in the present case is below commercial quantity.

I have considered the submissions made on behalf of the both the parties and considering that investigation in connection with the present petitioner has already been advanced to a considerable extent and that the quantity involved in the present proceeding is below the commercial quantity and as such rigour of Section 37 of the NDPS Act may not attract in the present case, the prayer for bail of the petitioner

is allowed.

In such view of the matter, petitioner namely, **Pintu Adhikari @ Madahai** shall be enlarged on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, one of whom must be local, subject to the satisfaction of learned Additional Chief Judicial Magistrate, Barrackpore and on condition that he will not leave the geographical limit of district North 24-Parganas without taking permission from the Trial Court and also on condition that he will meet Officer-in-Charge New Barrackpore Police Station in every alternative day until further order and also on condition that the accused shall not mis-use the liberty granted by this Court and he shall not tamper with any evidence orally or documentary during the trial, and that he shall not absent himself on any day during trial and shall not commit any offence while on bail. He shall give his mobile phone number to the local police station and shall not change it without prior permission of the Trial Court and he shall not in any manner try to delay the trial. The Court below will be at liberty to cancel the bail in the event of violation of any of the conditions without making any reference to this Court.

Be it mentioned, that nothing said herein shall be construed as an expression of opinion on the merits of the case.

The application for bail being **CRM (NDPS) 536 of 2025** is, accordingly allowed and disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)

